
REESE LLP

October 14, 2021

VIA ECF

Honorable Ona T. Wang
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Ashour, et al. v. Arizona Beverages USA LLC, et al.* – S.D.N.Y Case No. 1:19-cv-07081-(AT) (OTW)

Dear Judge Wang:

The parties write jointly to update the Court as to the status of this litigation and to request that the Court consider conducting a case management conference.

The parties are diligently attending to discovery. Plaintiffs and Defendants agreed upon Defendants' custodians and on search terms that would be used to search for Defendants' electronically-stored information ("ESI"). Defendants are in the process of compiling ESI and other documents in response to Plaintiffs' document requests. Defendants anticipate producing approximately 10,000 pages of documents. The parties are meeting and conferring about the ESI production, including discussing a stipulation concerning ESI protocol to govern the production. Plaintiffs assert that they need the production before they can begin conducting depositions.

Plaintiffs Joy Brown ("Brown") and Crystal Townes ("Townes") responded to requests for production, requests for admission, and interrogatories. Plaintiff Ahmed Ashour ("Ashour") recently responded to a supplemental request for documents. The parties are meeting and conferring about claimed deficiencies in the Plaintiffs' responses to these requests. In addition, Plaintiffs responded to Defendants' Local Civil Rule 26.1(a) demands for verified statements regarding their domiciles.

From a discovery and scheduling perspective, pending before the Court are motions to bifurcate discovery, to obtain a protective order, to amend the scheduling order and to compel discovery (*see* ECF Nos. 139 and 144). Within those submissions, and in opposition thereto, the parties proposed competing schedules to complete discovery. Disposition of those motions will impact how discovery proceeds and what operative schedule applies. For example, the motions for a protective order and bifurcation bear upon, *inter alia*, the scope of discovery. The deadlines proposed by all parties also need to be addressed to allow for a review of the forthcoming ESI production and depositions.

Accordingly, the parties respectfully request that the Court consider conducting a case management conference. Thank you for your Honor's time and attention to this matter.

Respectfully Submitted,

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